सतर्कता
VIGILANCE

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सतर्कता के प्रकार
Types of Vigilance

- Preventive

- Punitive

परिवार के सदस्यों की परिभाषा
Definition of "Members of Family"

- Includes:
  - Wife or husband
  - Dependent son or daughter
  - Any dependent person related by blood or marriage

आचरण/ conduct

Conduct Expected

Conduct to be reported

Conduct not Allowed

Conduct requiring sanction

सरकारी कर्मियों से अपेक्षित आचरण Conduct Expected

- To maintain Absolute Integrity
- Political Neutrality
- Transparency
- Impartiality
- Accountability
- Devotion to Duty: Failure to perform tasks timely and with expected quality is lack of devotion
- Observe Government Policies
- Render prompt & courteous service to public
- Supremacy of Constitution & Democratic Value

रिपोर्ट किए जाने योग्य आचरण
Conduct to be Reported

- Employment of family member in any firm
- Acceptance of gifts on occasions such as:
  - Wedding
  - Anniversaries
  - Funeral
  - Religious functions
- Movable property transactions

पूर्व स्वीकृति आवश्यक आचरण
Conduct Requiring Prior Sanction

- Acquire/Disposal of Immovable property
- Enrolment in Educational Institution
- Acceptance of International award
- Join Foreign Language classes
- Territorial Army
- Home Guards
- Civil Defence Service
- Join as an editor/Publication
- Give evidence in enquiries by any person/committee/authority
- Foreign Membership: Club etc.

निषिद्ध आचरण (भाग 1)
Conduct Not Allowed (Part 1)

- Accepting gifts from foreign firms
- In taking of Alcohol/Drugs in office
- No bidding in auction in office
- Not to stay as a guest with any Diplomat.
- Unbecoming of a Government Servant
- Use position to secure employment for family members
- Take part in politics

निषिद्ध आचरण (भाग 2)
Conduct Not Allowed (Part 2)

- Adverse criticism of current/recent Govt. policy/action
- Communicate classified information to unauthorized person
- Give, take, or abet dowry
- Subletting of government accommodation
- Speculation & lending money on interest
- Bring political or outside influence

निषिद्ध आचरण (भाग 3)
Conduct Not Allowed (Part 3)

- Participate in prejudicial demonstrations
- Strike
- Sexual Harassment
- Join associations prejudicial to:
  - Sovereignty & security of India
  - Public order or morality
- Marriage while spouse is alive
- Employ child below 14 years

आचरण
Conduct

- Personal behavior, deportment, mode of action, any positive or negative act
- The employee is expected to promote the employer's interest in connection with which he has been employed…and a necessary implication of such a contract is that the servant undertook to serve his master with good faith and fidelity.

दुराचार
Misconduct

- Any act inconsistent with the faithful discharge of duties prejudicial to the interest or reputation of the master constitutes misconduct.
- Misconduct arises with ill motive and excludes innocent mistakes.
- All misconduct cannot be enumerated.

नियम-3 : सामान्य
Rule-3 : General

- Every Government servant shall at all times
- Maintain absolute integrity
- Maintain devotion to duty; and
- Do nothing which is unbecoming of a Government Servant.

नियम-3 : सामान्य-
Rule-3 : General – Contd...

- A conduct which is indecent, reprehensible or abominable involving moral though not legal lapses, is also conduct unbecoming of Govt. servant.
- Becoming conduct
  - It should be in conformity with the ordinary norms of decency & Morality, prevalent in the society he lives.
  - It should be in consonance with the laws of a land which he is bound to respect.
  - There is not a deliberate breach of department rules by the employees.

नियम-3 : सामान्य
Rule-3 : General – Contd...

- Rule 3: Aims at maintenance of efficiency, commitment to duty, honesty and discipline among Govt. employees.
- Rules of conduct may and do vary from time to time. They must at all times be judged from a robust commonsense point of view on a reasonable standard.

नियम-3 : सामान्य
Rule-3 : General – Contd...

(2) (i) Every G.S shall holding supervisory post shall take all possible steps to ensure the integrity and devotion to duty of all government servants for the time being under his control and authority;

(ii) No G.S shall in the performance of his official duties or in the exercise of powers conferred on him act otherwise than in his best judgment except where he is acting under the direction of his official superiors.

नियम-3 : सामान्य
Rule-3 : General – Contd...

(2) (iii) The direction of the official superior shall ordinarily be in writing. Oral direction to subordinates shall be avoided, as far as possible. Where the issue of oral direction becomes unavoidable, the official superior shall confirm it in writing immediately thereafter;

(iv) A G.S who has received oral directions from his official superior shall seek confirmation of the same in writing.

Explanations

स्पष्टीकरण।
Explanation I

- **A G.S who habitually fails to perform the task assigned to him within the time set for the purpose and with the quality of performance expected of him shall be deemed to be lacking in devotion to duty within the meaning of clause (ii) of sub-rule (1).**

नियम-3 (सम्मिलन)
Rule-3 (Insertions)

- 3A- Promptness & Courtesy in discharge of official duties and in dealing with public
- 3B – Observance of Govt.'s Policies regarding age of marriage, preservation of environment, protection of wildlife & cultural heritage and prevention of crime against women

नियम-3 (सम्मिलन)
Rule-3 (Insertions)

- 3C - Prohibition of sexual harassment of working women-
- No GS shall indulge in any act of sexual harassment of any women at her workplace.
- In charge of a work place shall take appropriate preventive steps.
- Sexual harassment includes such unwelcome sexually determined behaviour, whether directly or otherwise, as –
- (a) physical contact and advances;
- (b) demand or request for sexual favours;
- (c) sexually coloured remarks;
- (d) showing any pornography; or
- (e) any other unwelcome physical, verbal or non verbal conduct of a sexual nature.

नियम 4: निकट संबंधी का रोजगार
Rule 4 : Employment of near relative

- **Not to use position or influence to secure employment of members of family.**
- **Class-I officers require previous sanction for employment of son or daughter in firm with which there is 'Official dealing'.**
- **May accept "provisionally' in urgency and report later.**
- **Intimation for employment in ANY firm/company of a member of his family.**

नियम-5 चुनाव में भाग लेना
Rule-5 Taking part in elections

- **No G.S shall [5(1)]**
  - **Member**
  - **Associated with any political party**
  - **Subscribe**
  - **Assist any political movement**
- **[5(2)]Prevent family members from**
  - **Taking part**
  - **Subscribing**
  - **Assisting**
  - **If he fails to prevent his family members then will make a report to the government**

नियम-5
Rule 5 Contd..

- **No GS shall-**
  - Canvass/interfere/take part in elections
  - Use his influence in connection with elections to any legislature or local authority.
- **However, may vote or participate in election duty**
- **Display of electoral symbol shall amount to using influence**
- Political neutrality
- May attend public meetings
  - Open to general public
  - Does not himself speak/organise

संघ में शामिल होने का नियम 6
Joining of Association-Rule 6

- No GS shall join or continue to be member of an association the objects or activities or which are prejudicial to the interests of the sovereignty and integrity of India, or public order or morality.

नियम-7- प्रदर्शन/हड़ताल
Rule-7- Demonstration/strike

- **No Govt Servant shall –**
- **(i) engage himself or participate in any demonstration which is prejudicial to the interest of the sovereignty and integrity of India, the security of the State, friendly relations with foreign States, public order, decency or morality, or which involves contempt of Court, defamation or incitement to an offence, or**
- **(ii) resort to or in any way abet any form of strike or coercion or physical duress in connection with any matter pertaining to his service or the service of any other GS.**

नियम-8- प्रेस या अन्य मीडिया से संबंध
Rule-8- Connection with Press or other media

- **No Govt Servant shall, except with the previous sanction of the Government, own wholly or in part, or conduct or participate in the editing or management of any newspaper or other periodical publication or electronic media.**

- **Publishing a book or participating in a public media in discharge of official duties?**

नियम-9- सरकार की आलोचना
Rule-9- Criticism of Government

- **No GS shall**
  - **In any radio/telecast/electronic media**
  - **In any document**
  - **Communication in press or public utterances**
- **Adversely Criticise current or recent policy/ action of Govt.**
- **Exception-Office bearers of association/trade unions**
- **Embarrass relations between Centre & State Govt. or between Central Govt. and the Govt. of any foreign State.**

नियम-10-समिति के समक्ष साक्ष्य
Rule-10-Evidence before committee

- **No GS shall except with the previous sanction**
  - **Give any evidence in any enquiry conducted by any person, committee or authority**
  - **In case of sanction-shall not criticise policy/ action of Govt.**
- **Exceptions for giving evidence to**
  - **Authority appointed by Govt., Parliament or State Legislature**
  - **Judicial enquiry**
  - **Departmental enquiry**

नियम-11- आधिकारिक सूचना का संचार
Rule-11- Communication of Official information

- **Every GS shall, in performance of his duties in good faith, communicate information to a person in accordance with the Right to Information Act, 2005 and the rules made thereunder.**
- **Provided that no GS shall, except in accordance with any general or special order of the Govt. or in performance in good faith of the duties assigned to him, communicate, directly or indirectly, any official document or any part thereof or classified information to any GS or any other person to whom he is not authorised to communicate such document or classified information.**

नियम-12-सदस्यता
Rule-12-Subscription

- No GS shall, except with the previous sanction of the Government….. ask for or accept contributions to or otherwise associate himself with the raising of any funds or other collection in cash or in kind in pursuance any object whatsoever.
- Collection on Flag Day exempted
- Union may collect subscriptions from members(not public)

नियम-13-उपहार
Rule-13-Gifts

(1) Save as provided in these rules no GS shall accept or permit any member of his family or any other person acting on his behalf to accept any gift.

(2) May accept on occasions such as weddings, anniversaries, funerals or religious functions when making of gift is customary

- **From near relatives or personal friends (Having no official dealings)**
- **Will make a report to the Govt. if the value exceeds prescribed limits**
- **Gp.A-25000**
- **Gp.B-15000**
- **Gp.C-7500**

नियम-13
Rule 13

- **Explanation: Gift includes free transport, boarding, lodging or other services or any other pecuniary advantage provided by any person other than a near relative or personal friend having no official dealings**
- **Note-1: A casual meal, lift or other social hospitality shall not be deemed to be a gift.**
- **Note-2: A Government servant shall avoid accepting lavish hospitality or frequent hospitality from any individual, industrial or commercial firms, organizations, etc. having official dealings with him.**

(3) In any other case G.S shall not accept any gift without the previous sanction if the value exceeds:

Group. A & B-1500

Group. C & D-500

Rule 13 A – Giving , taking, demanding or abetment of dowry is misconduct.

नियम-14- जी.एस. के सम्मान में सार्वजनिक प्रदर्शन
Rule-14-Public Demonstration in Honour of G.S

- **Previous sanction necessary**
- **Farewell entertainment of substantially private and informal character on the occasion of retirement or transfer permissible.**

नियम-15-निजी व्यापार एवं रोजगार
Rule-15-Private Trade & Employment

- Engage directly or indirectly in private trade
- Hold an elective office, or canvass for a candidate or candidates for an elctive office in any body whether incorporated or not.
- Canvass in support of any business or insurance agency, commission agency etc. owned or managed by any member of his family.
- Take part in the registration, promotion, or management of any bank or other company registered or required to be registered under the Companies Act 1956 or any other law or of any co-operative society for commercial purpose.

नियम-15-निजी व्यापार एवं रोजगार
Rule-15-Private Trade & Employment- Contd.....

- **15(2) May without previous sanction:**
  - **Honorary work of social or charitable nature**
  - **Occasional work-literary, artistic or scientific character**
  - **Amateur sports**
- **15(3) Every G.S report if any member of his family is engaged in a trade or business or own or manages an insurance agency or commission agency.**
- **15(4): unless permitted will not accept any '*fee*' for any work done by him for any private or public body or any private person.**

नियम-15 ए- सरकारी आवास का उप-किराया और खाली करना। Rule-15 A- Subletting and vacation of Govt. accn.

- Finding of the Estate Office regarding subletting is binding on the disciplinary authority for the purpose of initiating the disciplinary proceedings.

– Supreme Court in SS Tiwari Vs UOI

नियम 16-निवेश, उधार देना और उधार लेना
Rule 16-investment, lending and borrowing

- (1) No GS shall speculate in any stock, share or other investment:
- Occasional investments made through stock brokers or other persons duly authorized and licensed or who have obtained a certificate of registration under the rules PERMISSIBLE
- (2) No GS(family) shall make any investment which is likely to embarrass or influence in his official duties.
- Purchase of shares out of quotas of Directors shall be deemed to be an investment likely to embarrass the Government servant.
- Provided that a GS may give rise to , or accept from, a relative or a personal friend purely temporary loan of a small amount free of interest or operate credit account with a bona fide tradesmen or make an advance of pay to his private employee.

नियम 17- दिवालियापन और आदतन ऋणी होना
Rule 17-Insolvency and Habitual indebtedness

- A GS shall so manage his private affairs as to avoid habitual indebtedness or insolvency.
- Shall report full facts of the legal proceedings (for recovery of debt or declaring him insolvent).
- The burden of proving that the insolvency or indebtedness was the result of circumstances which, with the exercise of ordinary diligence, the GS could not have foreseen, or over which he had no control and had not proceeded from extravagant or dissipated habits, shall be upon the GS.

नियम-18-चल और अचल संपत्ति
Rule-18-Movable, immovable property

- **18(1)(i). On first appointment shall submit a return of his assets and liabilities**

  (ii). Submit annual return of property.

- **18(2) Except with the previous knowledge acquire/dispose any immovable property by lease, mortgage, purchase, sale gift either in his own name or any member of his family.**

  [Previous sanction if the transaction with some having official dealings with G.S]

- **18(3)-Transaction in movable property-report within one month if the value exceeds two months basic pay.**

नियम-18
Rule-18 contd..

- From the year 2011 the details of the Immovable property will be displayed in the Public domain.
- May require G.S to furnish full and complete statement anytime.
- Detailed probing.
- Transaction by family members.
- One transaction-same time same place, same bill.
- Chit funds, LIC, fixed deposits, loans, installments, prizes.
- Advance rents, repair/minor constructions
- Construction of house

समय सीमा
Time limits

Rule No	Provision relating to	Time limit
8(1)	Connection with press or radio	30 days
13(4)	Gifts	30 days
18(2) & 18(3)	Transaction in movable and immovable property	30 days
18-A	Transactions in immovable property outside India or with foreigners	60 days

नियम-19- कृत्यों और चरित्र का औचित्य सिद्ध करना
Rule-19-Vindication of Acts & Character

- **No G.S shall except with the previous sanction take recourse to any court or to the press for the vindication of any official act which has been the subject matter of adverse criticism or an attack of a defamatory character.**
- **On lapse of 3 months from the date of making request for such sanction…….**
- **For vindication of his private character……**

नियम-20-राजनीतिक प्रभाव
Rule-20-Political influence

- **No G.S shall bring or attempt to to bring any political or other outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to this service under the Government.**
- **First offence-may only be cautioned without enclosing it in the APARs.**
- **Second time-Disciplinary action may be initiated.**

नियम-21-विवाह संबंधी प्रतिबंध
Rule-21-Restriction regarding marriage

- **Bigamy not allowed.**
- **Govt. may permit where permissible under the personal law applicable to both parties.**
- **Marriage with foreign national….**

नियम-22-नशीले पेय पदार्थों और दवाओं का सेवन
Rule-22-Consumption of intoxicating drinks and drugs

A G.S shall

a) **Strictly abide by any law relating to the intoxicating drinks or drugs in force in any area in which he may happen to be for the time being;**

b) **Not be under the influence of any intoxicating drink or drug during the course of his duty and shall take due care that the performance of his duties at any time is not affected in any way by the influence of such drink or drug.**

नियम-22
Rule-22-Continued

(bb) Refrain from consuming any intoxicating drink or drug in a public place;

(c) Not appear in a public place in a state of intoxication

(d) Not use any intoxicating drink or drug to excess.

Explanation: Public Place means any place or premised (including conveyance) to which the pubic have or permitted to have access, whether on payment or otherwise.

नियम-22-A
Rule-22-A

- **No G.S shall employ to work any child below the age of 14 years.**

- Thank you